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In re: HORII et al : DECISION ON REQUEST
Serial No.: 09/398,366 : UNDER 37 CFR 5.25
Filing date: September 17, 1999
Docket No: 41050/264018

Title: **OPTICAL IMAGING APPARATUS**

This is a decision on the petition filed on January 17, 2002 for retroactive foreign filing license.

It has been determined that a retroactive license for foreign filing under 35 U.S.C.184 be granted with respect to the filings listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under a secrecy order, that the license was diligently sought after discovery of the proscribed foreign filing, and that the material was filed abroad without the required license under 37 C.F.R 5.11 through error and without deceptive intent.

Country

Date

Japan (Application No. 10-266752)

September 21, 1999

Japan (Application No. 10-266753)

September 21, 1998.

Ian J. Lobo
Patent Examiner
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